

Professional Liability Insurance Reimbursement Plan
for
The United States District Court for the District of Nebraska,
including
The United States Bankruptcy Court
The Clerk of the District Court
The Clerk of the Bankruptcy Court
The United States Probation Office
The United States Pretrial Services Office

1. Judges and eligible employees may be reimbursed for a portion of the cost of professional liability insurance subject to these guidelines.
2. Authority: Pub. L. No. 104-208, § 636 (1996); as amended by Pub. L. No. 105-277, § 644 (1998); as amended by Pub. L. No. 106-58, § 542 (1999); *Proceedings of the Judicial Conference of the United States* (JCUS-SEP 99, pp. 66-67).
3. All active district judges, all senior district judges, all magistrate judges, and all bankruptcy judges are eligible to claim reimbursement pursuant to this policy.
4. Employees Eligible for Reimbursement:
 - A. The following employees are eligible to claim reimbursement pursuant to this policy:
 1. Court unit executives;
 2. Probation officers and probation officer assistants;
 3. Pretrial services officers and pretrial services officer assistants;
 4. "Management officials" designated by the court unit executives. "Management official" means an individual employed in a position the duties and responsibilities of which require or authorize the employee to formulate, determine, or influence the policies of the court. See 5 U.S.C. § 7103(a)(11).
 5. "Supervisors" designated by the court unit executives. "Supervisor" means an individual having authority to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall,

suspend, discipline, or remove employees to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment. See 5 U.S.C. § 7103(a)(10).

- B. Designation of an employee as eligible for reimbursement is not intended to recommend or discourage the purchase of a policy by an employee. Each employee must evaluate the risks related to his or her employment and compare the costs and benefits associated with such insurance.
 - C. No employee of the court should endorse or recommend a policy offered by any company or association, but employees may provide information as to those insurers known to provide policies of this type to enable an employee to request information about the policies offered.
5. Definition of “Professional Liability Insurance”: Insurance which provides coverage for:
- A. Legal liability for damages due to injuries to other persons, damage to their property, or other damage or loss to such other persons (including the expenses of litigation and settlement) resulting from or arising out of any tortious act, error, or omission of the covered individual (whether common law, statutory or constitutional), while in the performance of such individual’s duties as a qualified employee; and
 - B. The cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigation or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual’s official duties as a qualified employee, and other legal costs and fees relating to such administrative or judicial proceeding.
6. Procedures for claiming reimbursement: Reimbursement requests must be submitted in writing to the clerk of the district court for payment and must be accompanied by a copy of the policy premium notice or statement of account showing the annual premium amount and the period covered by the policy.

The request should indicate that the claim is being made pursuant to Pub. L. No. 104-208, § 636 (1996); as amended by Pub. L. No. 105-277, § 644 (1998); as amended by Pub. L. No. 106-58, § 542 (1999), and is in compliance with criteria established by the Judicial Conference and the Director of the Administrative Office, and on a form that is substantially similar to Attachment A.

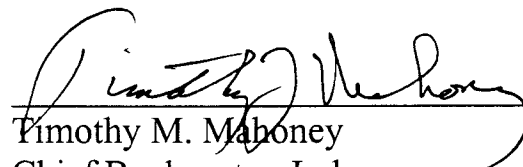
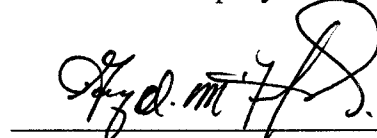
7. The clerk of the district court shall maintain records of all reimbursement payments.
8. Miscellaneous: This plan is subject to the availability of funds. At the time of the adoption of this plan, the amount which may be reimbursed pursuant to the policy of the Judicial Conference of the United States is: (a) one-half of the annual policy cost; or, (b) \$150.00, whichever is less. If the Judicial Conference of the United States increases the amount which may be reimbursed, this plan is automatically amended to provide for reimbursement of that increased amount. This plan is effective for all premiums paid on or after October 1, 1999.

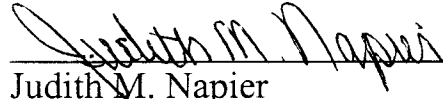
Dated this 21st day of June, 2000.

BY THE COURT:

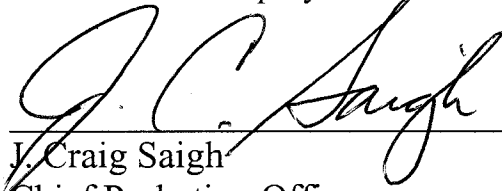


Richard G. Kopf
Chief District Judge

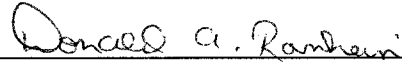

Timothy M. Mahoney
Chief Bankruptcy Judge
Gary D. McFarland
Clerk of District Court



Judith M. Napier
Clerk of Bankruptcy Court



J. Craig Saigh
Chief Probation Officer



Donald A. Ranheim
Chief Pretrial Services Officer

Attachment A

**Professional Liability Insurance Reimbursement Program
Model Form for Reimbursement Claim**

To: Clerk of the District Court (Reimbursing Officer)
From: (name)
Subject: Claim for Reimbursement for Professional Liability Insurance

I hereby request reimbursement for the cost of professional liability insurance in the amount of \$_____.

This policy provides coverage from _____ (date) to _____ (date). A copy of the policy premium notice or statement of account showing the annual premium amount and the period covered by the policy is attached to this claim.

This claim is being made pursuant to Pub. L. No. 104-208, § 636 (1996); as amended by Pub. L. No. 105-277, § 644 (1998); as amended by Pub. L. No. 106-58, § 542 (1999), and is in compliance with criteria established by the Judicial Conference and the Director of the Administrative Office.

Signature _____ Date _____